

**RE: Death Investigation, Sheena MORRIS**

I was asked to review the crime scene photos and select autopsy photos from the investigation into the death of Sheena MORRIS by Dr. Michael BERKLAND and Jan JOHNSON in order to obtain my impressions on the case. I was given no details on the case, nor was I guided through the photos as I reviewed them. Additionally, I received no compensation or other benefit from this review. I was subsequently provided a copy of Arthur BROWN's opinion, dated 20 NOV 13, which I read after my review and observations. I will discuss this in two parts: PART 1, my observations, and PART 2, my response to Mr. BROWN's opinion. NOTE: I do not profess to be an expert in criminalistics, crime scene analysis, or forensic pathology. My observations are based from the viewpoint of an investigator. My bona fides are stated at the end of this opinion paper.

**PART 1 OBSERVATIONS:**

At first blush, the death of Sheena MORRIS, is referred to as I have heard all too often, "an 'apparent' or 'obvious' suicide." Baring an overt struggle or other violent indicia even the most experienced investigator can jump to a quick conclusion on the matter and, under the influence of the ever-present economics of manpower dictated by labor laws, overtime provisions prompt the move to other, sometimes more pressing, cases. While no agency is exempt from this phenomenon, we should fall back on the axiom that every death must be investigated as a homicide until proved otherwise. It is incumbent upon the investigator to leave no stone unturned and to answer every question or anomaly to the best of his ability with the resources available. Anything less should be disconcerting to the professional investigator. Regarding the case of Sheena MORRIS, the following observations are based solely on scene and autopsy photos provided to me.

1. MORRIS was found hanging by a dog leash in the shower stall. The snap-clip end was looped around the nozzle and attached to the leash, however, it was not fully engaged. From overall scene pictures, it appears MORRIS was very fond of the dogs judging from "his" and "hers" leashes and water bowls. Dog people, by compulsive habit, would not fail to fully engage the clasp on a leash. Also, this begs the question as to why one would use an object associated with one's affections to commit suicide.
2. MORRIS' hands were curled. What was her stress, or was she in pain? In the majority of suicidal hangings I have observed the hands are in a more relaxed state.
3. MORRIS' top is neat, form fitting, and tied at the top. Her pants are untied, loose, and hanging low on her waist. If she dropped from the nozzle, then there should be some sort of damage to the nozzle or the surrounding wall. (I have since learned that investigators at the scene found the nozzle to be very securely installed.) If she slowly lowered herself down, then how did her pants fall down so low?
4. The bottom of MORRIS' pants legs were flared to her left, toward the entrance to the shower stall. If she lowered herself straight down or dropped, then one would think the pants legs would be more evenly gathered around her legs. One explanation for this and Observation #3, would be that MORRIS was dragged into the shower.
5. MORRIS had, what appeared to be, tan colored sand on the bottom of her feet. From the photos it did not appear that there was a significant amount of sand or soil in the shower. If she walked into the shower that amount of sand should have been knocked off before she entered the shower, or somewhere in the shower stall floor.

6. The knot is square in the middle of the back of her neck, and she has her head tilted to the right. Again, if she lowered herself, why the canting to one side or another?

The foregoing observations constitute an admittedly weak argument to countermand the conclusion that MORRIS committed suicide. But the following observation is a blaring indicator that something is awry with the suicide conclusion and this may be a staged scene.

7. The lividity on MORRIS' posterior is present on her lower back above the waistline. This area, from the photos, did not appear to be pressed against the shower stall. But, even if it were pressed against the shower stall wall with sufficient force to cause a blanching pattern in the lividity it would appear as a square pattern matching the tile of the shower wall. Instead, the pattern is a criss-cross pattern, similar to that of wicker furniture (present at the scene). This was not done in the shower stall. The lividity and blanching suggest that MORRIS died in a seated position at some location other than the shower stall.

## PART 2 ARTHUR BROWN:

Arthur BROWN's well-written and documented opinion goes to a great length to dispel notions that the decedent's fiancée, Joe GENOSE, may have directly brought about her death. While Mr. BROWN is correct in asserting that prosecution for murder is not possible at this time, it, in no way, alters my impression of what I observed in the photos. And, I am fully aware of the limitations of crime scene photography in that the scene must not be tampered with, remaining in a pristine state, thus dictating angles of the shots and lighting.

Mr. BROWN gives great credence to statistics and percentages. While these may be factors in an analysis they are hardly dispositive in forming a decisive conclusion. It is tantamount to saying that 75% of all Russians in America are illegal aliens, and 80% of them are connected to the Russian mafia. Therefore, my neighbor Sergei is an illegal alien in the Russian mob. This  $a+b=c$  analysis can easily lead to erroneous results.

Mr. BROWN also goes on the attack, targeting Dr. BERKLAND and Jan JOHNSON. This is an old tried but true legal tactic of attacking the witness when an attack on the testimony or evidence would fail. I worked numerous cases with these people; they are the most knowledgeable and professional I have ever encountered (including Dr. Michael BADEN, Henry LEE, Vincent DiMAIO, Vernon GEBERTH and other heavy hitters in the field). I can safely say they are not prone to render an opinion to the highest bidder, or frame an opinion for the sake of expediency. These attacks were unwarranted and detracted by Mr. BROWN's otherwise well-constructed academic argument.

First, concerning Jan JOHNSON, it was inferred that she "statistically" could not have worked many staged crime scenes. Maybe so, maybe not; but, she has worked enough real ones to spot when something is amiss.

Second, regarding Dr. BERKLAND, for the sake of brevity I will not address all of the issues alluded to but confine my comments to the incidents of which I have personal knowledge. I spoke on his behalf on one board action taken against him. All I can say is that the allegations amounted to minor league infractions in which major league punishments were sought. Succinctly, some clerical errors were inflated to infer Dr. Berkland was not credible. I will not waste time and space discussing the facts and politics behind all of these allegations. Instead, what should be remembered is the degree of thoroughness and accuracy in Dr. Berkland's examinations and conclusions drawn from them; of which, are not based upon theory or conjecture, but fact.

All one has to do is to examine the record for the times Dr. Berkland has been called to give testimony as an "Expert Witness". Not one time has his testimony under oath been impeached or successfully overruled by other experts. If you cannot win with facts attack the witness, enough said.

**CONCLUSION:**

With the exception of Observation #7, any one of these observations, or several for that matter, lack sufficiency for overt concern. But, taken as a whole, especially #7 in and of itself, I find a lot to be concerned about in this case. This case warrants another look, There should be an attempt to satisfy these questions- for justice for Sheena MORRIS and for her family. Because, Sheena MORRIS did not die in the shower. She died elsewhere, in a seated position, and was moved or dragged into the shower and hanged by a leash in a seated position.

Was Sheena MORRIS murdered? I don't know. But she didn't die in the shower.

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Numerous short courses and seminars in law enforcement subjects and CLE.

Began law enforcement career in 1974. Numerous assignments included narcotics and vice investigations, covert and undercover operations, over ten years exclusive crimes against persons experience, various supervisory positions to include crime scene supervisor. Agencies include: Okaloosa County (FL) and Lee County (FL) Sheriff's Offices, Special Agent, DEA (Miami), and Commissioned Officer US Army MP Corps.